

Remarks

In the September 12, 2007 Office Action, the Examiner indicated that Claims 12 and 13 contained allowable subject matter. In addition, the Examiner rejected claims 1-11. Applicant wishes to thank the Examiner for the careful consideration and examination given to the Application. Applicant also thanks the Examiner for indicating that claims 2-4, 7, and 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph.

By this Response, Applicant submits amendments to the base claim. Claims 2 and 4 have been cancelled. After entry of this Response, Claims 1, 3, and 5-13 are pending in the Application. Applicant respectfully asserts that these claims are in condition for allowance.

Claims 1,3, and 5-11 stand rejected under 35 U.S.C. 112, second paragraph., as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been amended to address this objection. Claim 1 is an independent claim for a wheel suspension system for a motor vehicle. The system comprises a lower link for the attachment of a wheel and a spring having a lower end and an upper end. The spring lower end is arranged on the link and the upper end is arranged in a spring plate. The system further comprises a chassis underframe having a mounting annularly surrounding the spring plate and having at least one pair of bearings for fastening the system to the body. The mounting supports the spring plate when the suspension is not fitted to the body of the motor vehicle.

Claim 1 and 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Pelz* et al. (US6357772).

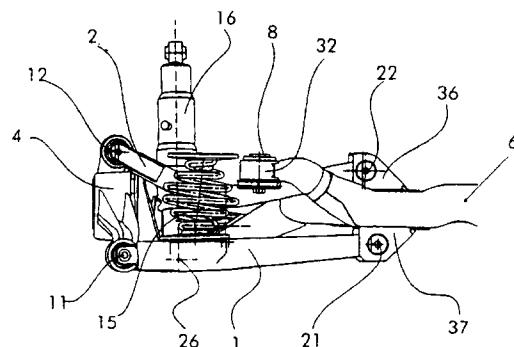


Fig. 2

Pelz Fig. 2

The Examiner states that *Pelz* discloses a wheel suspension system comprising a lower link (1); a spring (15) having a lower end and an upper end, the lower end of which is arranged on the link and the upper end of which is arranged in a spring plate; and a chassis underframe (6) having at a mounting (36, 37) and having at least one pair of bearings (7,8); wherein the spring plate bypasses the chassis underframe and directly engages the body of the vehicle; wherein the lower link is designed as a transverse link.

Contrary to the examiner's statement, *Pelz* does not anticipate claim 1. In contrast, *Pelz* fails to disclose a chassis underframe having a mounting annually surrounding the spring plate for supporting the spring plate when the wheel suspension system is not fitted on the body of a motor vehicle. The *Pelz* underframe (6) fails to extend or contact the spring plate located on top of spring (15) in Fig 2.

Therefore, all elements are not disclosed in the *Pelz reference*, so the rejection is unsupported by the art and should be withdrawn. Applicants submit that independent claim 1 is allowable. Dependent claims 3, 5-7 and 8 recite limitations similar to the independent claim. Accordingly, Applicants submit that claims 3, 5 and 6-11 are also allowable.

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Pelz et al.*, as cited above, in view of Martinez, Jr. et al.(US 4,771,996), previously cited by examiner.

As discussed above, *Pelz* fails to disclose the limitations of independent claims 1 from which claim 5 depends. In particular, *Pelz* fails to neither disclose a mounting annually surrounding the spring plate for supporting the spring plate when the wheel suspension system is not fitted on a body of a motor vehicle, nor does it involve spring plates directly engaging the body of the vehicle as recited in claim 1 and dependent claim 5. Further, Applicants have been unable to find any teaching of the foregoing limitations in *neither Martinez* nor the motivation to combine the references. In contrast *Martinez* is merely directed toward a striker plate. Thus, it is clear that the combination of references fails to teach all of the limitations of the claimed invention.

Therefore, all elements are not disclosed in the *Martinez* reference, so the rejection is unsupported by the art and should be withdrawn. Applicants respectfully request the Examiner to reconsider the rejection of claim 5.

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Pelz et al.*, as cited above, in view of Sautter et al. et al.(US 4,671,531) (*Sautter*).

As discussed above, *Pelz* fails to disclose the limitations of independent claims 1 from which claim 6 depends. In particular, *Pelz* fails to neither disclose a mounting annually surrounding the spring plate for supporting the spring plate when the wheel suspension system is not fitted on a body of a motor vehicle, nor does it involve spring plates directly engaging the body of the vehicle as recited in claim 1 and dependent claim 6. Further, Applicants have been unable to find any teaching of the foregoing limitations in *neither Sautter* nor the motivation to combine the references. In contrast *Sautter* is merely directed toward a suspension which reduces noise and undesirable steering movement. Thus, it is clear that the combination of references fails to teach all of the limitations of the claimed invention.

Therefore, all elements are not disclosed in the *Sautter* reference, so the rejection is unsupported by the art and should be withdrawn. Applicants respectfully request the Examiner to reconsider the rejection of claim 6.

CONCLUSION

For the above cited reasons, all of the claims presently pending in this application are submitted to be allowable. The Examiner is invited to call the Applicants' undersigned attorney if it would advance the prosecution of this application. The Examiner is respectfully requested to pass this case to issue.

FEES

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Respectfully submitted,
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